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Planning Commission Public Hearing/Meeting Wednesday, December 9, 2015

The meeting was called to order at 7:00 p.m. by Chairman Mayor Neil A. MacKinnon III.

1. Roll call taken: Members: Judy Heban
John Rust
Melanie Sayre, *absent/excused*
Tom Uhler
Neil MacKinnon
Staff: Mark Zuchowski, Zoning Inspector
Mike Scott, City Administrator

2. **Public Hearing** - Chairman MacKinnon opened the hearing: a) **Application for a Zoning Map Change on Lime City Road for 6 parcels across from All Saints Catholic Church to R-2 Double Family Residential. Edwin and Richard Smietana Trustees own 2 parcels at 619 Lime City Road with a current non-conforming duplex zoned R-1C Low Density Single Family Residential; and, Richard Baumgartner, 4 parcels with multiple accessory buildings zoned R-1B Moderate Density Single Family Residential, and R-1C, plans to build 2 sets of condominiums/4 dwellings.** MacKinnon asked for explanation first of the Smietana property. Zuchowski explained this change was to correct and make conforming an existing duplex, saying it would make any future sale move easier through the bank loan process. Edwin Smietana provided some history on this structure built in 1946 as a mirror image, back to back duplex, not made into one as many homes are. MacKinnon asked the Baumgartners to explain their request. Richard Baumgartner explained he wishes to combine the lots and market them for condos. MacKinnon said that would be a great use for the property, be beautiful, and be a huge improvement; he asked for comments from the audience before voting. Robert Hizel, 653 Marilyn Drive, stated he is against the build due to the fact that there is a public storm sewer running through the property; years ago his family was told no building could occur within 10 ft. of the sewer line. Zuchowski stated there is a line there and it will be a challenging piece of property; plans will show how they deal with that. Hirzel stated the fill dirt will cause his property to flood. Baumgartner stated a swale will help stop that. Hirzel said that is another name for a ditch; and the Hermes driveway will be at the bottom of a slope. Ken Hermes, 635 Lime City Road, asked Baumgartner what the plans were for the back piece of the parcel. Baumgartner stated there are no plans as yet, but probably a garage. Hermes stated then he is against it. *MacKinnon motioned to accept the request as presented; Rust seconded the motion; Uhler was ok with it; but JHeban was against the change; motion carried.*

b) **A request from Barney's Convenience Mart for a Special Use Permit at 28311 Crossroads Parkway for a 1.84 acre parking lot that will be attached to the Barney's Convenience Mart. A parking lot is not a possible permitted Special Use in Zoning Classification PC Planned Commercial.** MacKinnon called on Jerry Parker, attorney, who introduced Jim Sutphen, Manager of Barney's. Parker explained the stone parking area is there to provide somewhere for drivers to go when they go into the store, a matter of convenience; but, he is more than willing to take a continuance to prepare and submit a revision that supports Mannik & Smith's suggestions. Zuchowski explained this plan is not a Special Use option in the Crossroads; the area was designed as a retail/commercial area. Mike Scott asked if the property was purchased specifically to put in truck parking, and proceeded to explain the owners were served with a cease and assist order. Parker interrupted stating they were expanding the Special Use permit by adding parking; they will have cameras on site and not allow drivers to spend the night. Zuchowski stated a Special Use permit from 4-12-2000 was expanded for a gas station and car wash, but current Police pictures show 20 vehicles parked all night. *MacKinnon stated this should be continued while the City seeks advice from Kevin Heban.* Parker asked if there is an agreement to let trucks park temporarily while the Special Use is amended. *Uhler supports MacKinnon's suggestion to continue; other Members agreed.*

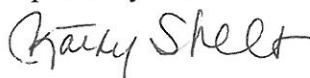
3. Review minutes of the last meeting. Chairman MacKinnon asked for motion to approve minutes from October 14, 2015. *Uhler motioned to approve minutes as presented; Heban seconded motion; all Members in favor; motion carried.*

4. Old/New Business. Scott showed on an area map and briefly discussed the proposed development and I-75 infrastructure changes near the City limits that will be happening.

JHeban wanted to refer back to the parking lot project from the Hearing stating she did not like that asphalt could not be done until Spring; she wants projects done. Rust stated that is why bonding has been put in place. MacKinnon stated going forward he wants to eliminate the problem of owners of projects not doing what they are suppose to do - we need to make them do what they are suppose to do. Uhler stated if projects are not completed, they can't use it - don't let them until it is complete. Scott said KHeban has told him the parking lot is not an acceptable use. Zuchowski added the parking lot is a hazard to development of the adjacent property owners.

5. Adjournment – MacKinnon asked for any additional business, seeing none, asked for adjournment. *Rust motioned to adjourn; MacKinnon seconded; all Members agreed.*
Meeting adjourned – 7:35 p.m.

Respectfully submitted



Kathy Shelt
Acting Secretary

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